



DAC/IPW

Attorney Docket No. 25-257

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Takashi SUZUKI

Serial No.: 10/743,824

Art Unit: 2873

Currently
Accorded

Filing Date: December 24, 2003

Examiner:

For: RETROFOCUS, WIDE-ANGLE LENS

REQUEST FOR RECONSIDERATION OF
PETITION TO CORRECT FILING DATE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

November 10, 2004

Sir:

In response to the Office Communication dated November 4, 2004, the following additional materials are attached hereto in order to make of record additional evidence that the undersigned indeed found the OIPE entrance door and the drop box open on the morning of December 26, 2003, and indeed did deposit the application papers for the present application on December 26, 2003, rather than on December 24, 2003.

(A) Affidavit of Bruce Y. Arnold

(B) Copy of relevant lines from Arnold International's log of papers deposited in the U.S.P.T.O., showing that on "12/18" the application papers listed were deposited for "25-256" and that on "12/26" the application papers listed were deposited for "25-257"

(C) Copy of e-mail sent at 12:04 P.M. on December 26, 2003, to Mr. Masanoshin Komori and to Mr. Eiji Mori (who work in the Intellectual Property Office of the Assignee) reporting to them that the application papers were "filed" on December 26, 2003.

Therefore, it is again respectfully requested that the filing date accorded the application papers be changed from December 24, 2003, to the first workday following deposit of the application papers, namely, to December 29, 2003.

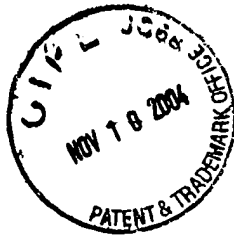
Respectfully submitted,

ARNOLD INTERNATIONAL

By Bruce Y. Arnold
Bruce Y. Arnold
Reg. No. 28,493

(703) 759-2991

P.O. Box 129
Great Falls, VA 22066-0129



Attorney Docket No. 25-257
Patent

AFFIDAVIT OF BRUCE Y. ARNOLD

I deposited the application papers for Attorney Docket No. 25-257 (which later was assigned Application Serial No. 10/743,824), on the morning of December 26, 2003, in the drop box of OIPE. The outer door that provides entrance from the sidewalk of Crystal Plaza Bldg. 2 as well as the "drop box", both were found by me to be open at that time. A sign was posted to the effect that the day had been declared a holiday by the President, and that papers should be deposited by dropping them through the opening, which was a rectangular aperture in closed doors that separated the OIPE lobby from the area that includes the normal intake window and the copier.

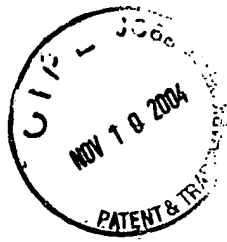
I hereby declare that all statements above are true and that I am aware that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. 1001).

Respectfully submitted,

Bruce Y. Arnold

Bruce Y. Arnold

Registration Number 28,493



extract from
Arnold International log
of papers filed in the
U.S. P. T. O.

12/10 25-256 Filed Spec Dec IDS Assigned (66)

12/25 25-257 " " " " " (67)



Bruce Arnold

From: "Bruce Arnold" <arnoldb@erols.com>
To: "Masanoshin Komori" <komori@msv.fujinon.co.jp>; "Eiji Mori" <e-mori@msv.fujinon.co.jp>
Sent: Friday, December 26, 2003 12:04 PM
Subject: Your Ref Nos. F01793-1 & 2; Attorney Docket No. 25-257

Dear Sirs:

This is to advise you that Your Ref. No. F01793-1 was filed in the USPTO on December 26, 2003. I will send Mr. Komori the details in due course.

Please send the two certified copies at your earliest convenience so that they can be filed in the U.S. and in Germany prior to the due date (05/14/2004).

An Assignment will not be required to be filed in Germany *provided* the inventor, Mr. Takashi SUZUKI, was under an obligation to assign the invention to your company as a result of his employment contract. If such a contract has been signed by the inventor, please provide me, by e-mail or fax, **with the date the contract was signed**.

If such a contract has not been signed, please advise ^em of this fact at your earliest convenience, so that I can communicate this to my colleague in Germany.

Thank you.

Best regards,

Bruce Arnold

BYA 11/8/04